

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US05/43756

A. CLASSIFICATION OF SUBJECT MATTER

IPC: H04M 11/00; 2006.01

USPC: 379/93.12

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Mandatory documentation: searched (classification system followed by classification symbols)

U.S.: 379/93.12, 90.01; 93 17, 93.25, 114 19, 114.2, 114.15, 114 17, 144.01; 110.01; 705/22, 56, 58, 72

Documentation searched other than mandatory documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document: with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 2003/0144910A1 (FILLERY et al.) 31 July 2003, figs. 2, 4, 7, Paragraphs: 0013-0015; 0021; 0022-0025; 0126-0135; 0143; 0148-0154	1-23
Y	US 6,364,104 B1 (JENKINS et al.) 24 July 2001, figs. 1-3, col. 6, line 24 - col. 7, line 6.	1-23

☐ Further documents are listed in the continuation of Box C.☐ See patent family annex.

* Symbols categories in cited documents:

A" document defining the general state of the art, which is not caused to be of particular relevance

X" late document published after the international filing date or priority date and not in conflict with the application but does not understand the principle or theory underlying the invention

F" earlier publication or patent published on or after the international filing date

N" document of particular relevance for the reasons it cannot be considered to involve an inventive step when the document is taken alone

I" document which may throw doubts on priority claims or which is cited in addition to the publication date of another citation or other specific reasons for citation

Y" document of particular relevance: the document is not considered to involve an inventive step when the document is considered with one or more other such documents, such combination being obvious to a person skilled in the art

O" document referring to an oral disclosure, use, exhibition or other means

S" document member of the same patent family

P" document published prior to the international filing date but later than the priority date claimed

Date of the actual completion of the international search

21 August 2006 (21.08.2006)

Date of mailing of the international search report

03 OCT 2006

Name and mailing address of the ISA/US

Mail Stop PCT, AIA/ISA/US
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Authorized officer

Michael R. [Signature]
Telephone No.: (571) 273-8098

Facsimile No.: (571) 273-3221

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
KEVIN J. ZIMMER
C/O COOLEY GODWARD, LLP
FIVE PALO ALTO SQUARE
3000 EL CAMINO ROAD
PALO ALTO, CA 94306-2155

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference PVIR00104WO		Date of mailing (day/month/year) 03 OCT 2006
FOR FURTHER ACTION See paragraph 2 below		
International application No PCT/US05/43756	International filing date (day/month/year) 02 December 2005 (02.12.2005)	Priority date (day/month/year) 07 December 2004 - (07.12.2004)
International Patent Classification (IPC) or both national classification and IPC IPC: H04M 11/00 (2006.01) USPC: 379/93, 12, 90, 01, 93, 17, 93, 25, 114, 19, 114, 2, 114, 15, 114, 17, 144, 01, H01, 705/22, 56, 58, 72		
Applicant: EWI HOLDINGS, INC.		

1. This opinion contains indications relating to the following items

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application


2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority (IPEA) except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220

Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US Communications to: Patents P.O. Box 1459 Alexandria, Virginia 22313-1459 Facsimile No. (571) 273-3201	Date of completion of this opinion 21 August 2006 (21.08.2006)	Authorized official  Michael F. Schaefer Telephone No. (571) 273-8093
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Form PCT/ISA/237 (cover sheet) (April 2005)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US05/43756

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
☐ table(s) related to the sequence listing

b. format of material

- ☐ on paper
☐ in electronic form

c. time of filing/furnishing

- ☐ contained in the international application as filed
☐ filed together with the international application in electronic form
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US05/43756

Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims <u>1-23</u>	YES
	Claims <u>NONE</u>	NO
Inventive step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-23</u>	NO
Industrial applicability (IA)	Claims <u>1-23</u>	YES
	Claims <u>NONE</u>	NO

2. Citations and explanations.

Please See Continuation Sheet

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US05/43756

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

V. 2. Citations and Explanations:

Claims 1, 23 lack an inventive step under PCT Article 33(3) as being obvious over Flaherty *et al.* (US 2003/0144910A1, hereinafter Jenkins *et al.*, US PAT. 6,264,104 B1, hereinafter Jenkins).

Regarding claims 1, 7, 14 and 21, Flaherty discloses a client terminal (fig. 4), comprising: storing, at the client terminal (fig. 4), PINs for plural prepaid services; receiving at a client terminal, request for a PIN associated with desired prepaid service; processor; a first interface disposed to receive a first request for a PIN associated with a first desired prepaid service and a second request for a PIN associated with a second desired prepaid service; memory (paragraph: 0094) operatively coupled to the processor; the memory including instructions of an application program executed by the processor and catching at least a first request for PIN associated with the first desired prepaid service; a dispensing mechanism through which is dispensed, under the control of application program, the first requested PIN in response to first request for a PIN; a server containing a processor and a memory coupled to a processor, and a database in communication with the server; the database containing: plurality of sets of PINs associated with a corresponding plurality of prepaid services; and a set of records wherein each of the records include information identifying one of the plurality of prepaid services for which one of the client terminals is disposed to store plural PINs, wherein processor executes instructions stored in the memory for sending to a first client terminal, from which a PIN request corresponding to one of the plurality of prepaid services is received, at least one PIN associated with the plurality of prepaid services wherein the at least one PIN is sent substantially real time relative to receipt of PIN request (Paragraphs: 0013-0015, 0021, 0022-0025; 0126-0135; 0143; 0148-0154).

Flaherty differs from claimed invention in not specifically teaching the following: a PIN request generated by the application program when application program determines that at least one PIN associated with the second desired service is not cached within the memory, wherein dispensing mechanism is further configured to dispense, under the control of application program and in substantially real time relative to the receipt of second request for PIN, a second requested PIN for PIN associated with the second desired prepaid service wherein the second requested PIN is received through the second interface.

However, Jenkins discloses vending device with remote electronic shopping facility which teaches the following: providing requested goods and services from local storage if it is locally available, otherwise obtaining requested goods and services from a remote host device (figs. 1-3, col. 6, line 24 - col. 7, line 10).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Flaherty's system to provide for the following: a PIN request generated by the application program when application program determines that at least one PIN is not cached within the memory, wherein dispensing mechanism is further configured to dispense, under the control of application program and in substantially real time relative to the receipt of second request for PIN, a second requested PIN for PIN associated with the second desired prepaid service wherein the second requested PIN is received through the second interface.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US05/43756

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

associated with the second desired service is not cached within the memory, wherein dispensing mechanism is further configured to dispense, under the control of application program and in substantially real time relative to the receipt of second request for PIN, a second requested PIN associated with the second desired prepaid service wherein the second requested PIN is received through the second interface as this arrangement would facilitate to satisfy user requests for services by accessing remote server to obtain desired service if request service/goods is not locally available as taught by Jenkins.

Regarding claims 2-6, 8-13, 15-18, 19-20, 22-23, Fichery further teaches the following: receiving, at a client terminal, a request for a PIN associated with an additional desired prepaid service corresponding to one of the plural prepaid services, sending, from the client terminal, another PIN request to the server when less than a predetermined number of PINs associated with the additional desired prepaid service are stored at the client terminal, and receiving, at the client terminal, an additional requested PIN associated with the additional desired prepaid service, receiving and storing, at the client terminal and in response to another PIN request, a set of PINs associated with the additional desired prepaid service, receiving at the client terminal (fig. 4) a request for a PIN associated with an additional desired service corresponding to one of the plural prepaid services, and dispensing, from the client terminal, at least one PIN associated with the additional desired service which is stored at the client terminal, uploading the update record to the server during communication between the client terminal and the server, request for a PIN associated with a third desired prepaid service is received through the first interface, wherein the application program generates, when less than a plural number of PINs associated with the third desired prepaid service are cached within the memory, another PIN request for transmission to the server through the second interface, third requested PIN associated with the third desired service is received through the second interface, a fourth request for a PIN associated with the third desired prepaid service is received through the first interface and wherein at least one PIN associated with the third desired prepaid service is included within the set of PINs and dispensed by the dispensing mechanism under the control of the application program, update record corresponding to dispensing of the first requested PIN is generated by the application program, update record is, under the control of the application program, uploaded to the server during communication session between the client terminal and the server, server is configured to send multiple other PINs associated with the one of the prepaid services to the first of the client terminals in response to the PIN request, record includes an indication of a maximum number of PINs capable of being stored at one of the client terminals with respect to each of the plurality of prepaid service imposed by memory limitations of each client terminal, server receives an update record from the first of the client terminals indicative of the dispensing of the at least one PIN from the first of the client terminals, plurality of prepaid services is defined by a SKU, each of the plural prepaid services is defined by a stock-keeping unit (SKU), receiving and storing, at the client terminal (fig. 4) and in response to the PIN request, a set of PINs associated with the desired prepaid service so as to maintain the predefined number of PINs associated with the desired prepaid service at the client terminal. (Paragraphs: 0013-0015; 0021; 0022-0025; 0126-0135; 01-3; 0148-0154).

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference EWIR00104WO	FOR FURTHER ACTION		See item 4 below
International application No. PCT/US2005/043756	International filing date (<i>day/month/year</i>) 02 December 2005 (02.12.2005)	Priority date (<i>day/month/year</i>) 07 December 2004 (07.12.2004)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant EWI HOLDINGS, INC.			

- This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).
- This REPORT consists of a total of 6 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.
- This report contains indications relating to the following items:

<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application
- The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis.2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Date of issuance of this report 13 June 2007 (13.06.2007)
	Authorized officer Masashi Honda e-mail: pt08.pct@wipo.int

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
KEVIN J. ZIMMER
C/O COOLEY GODWARD, LLP
FIVE PALO ALTO SQUARE
3000 EL CAMINO ROAD
PALO ALTO, CA 94306-2155

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference EWIR00104WO		Date of mailing (day/month/year) 03 OCT 2006
		FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/US05/43756	International filing date (day/month/year) 02 December 2005 (02.12.2005)	Priority date (day/month/year) 07 December 2004 (07.12.2004)
International Patent Classification (IPC) or both national classification and IPC IPC: H04M 11/00(2006.01) USPC: 379/93.12,90.01,93.17,93.25,114.19,114.2,114.15,114.17,144.01,110.01;705/22,56,58,72		
Applicant EWI HOLDINGS, INC.		

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
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- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
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- ☐ Box No. VIII Certain observations on the international application


2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	Date of completion of this opinion 21 August 2006 (21.08.2006)	Authorized officer  Melur Ramakrishnaiah Telephone No. (571) 272-8098
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Form PCT/ISA/237 (cover sheet) (April 2005)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/USQ5/43756

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

- a. type of material

- ☐ a sequence listing
☐ table(s) related to the sequence listing

- b. format of material

- ☐ on paper
☐ in electronic form

- c. time of filing/furnishing

- ☐ contained in the international application as filed.
☐ filed together with the international application in electronic form.
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US05/43756

Box No. V Reasoned statement under Rule 43 *bis.1(a)(i)* with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims <u>1-23</u>	YES
	Claims <u>NONE</u>	NO
Inventive step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-23</u>	NO
Industrial applicability (IA)	Claims <u>1-23</u>	YES
	Claims <u>NONE</u>	NO

2. Citations and explanations:

Please See Continuation Sheet

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US05/43756

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

V. 2. Citations and Explanations:

Claims 1-23 lack an inventive step under PCT Article 33(3) as being obvious over Flaherty et al. (US 2003/0144910A1, hereinafter) in view of Jenkins et al. (US PAT: 6,264,104 B1, hereinafter Jenkins).

Regarding claims 1, 7, 14 and 21, Flaherty discloses a client terminal (fig. 4), comprising: storing, at the client terminal (fig. 4), PINs for plural prepaid services, receiving at a client terminal, request for a PIN associated with desired prepaid service, processor, a first interface disposed to receive a first request for a PIN associated with a first desired prepaid service and a second request for a PIN associated with a second desired prepaid service, memory (paragraph: 0094) operatively coupled to the processor, the memory including instructions of an application program executed by the processor and catching at least a first request for PIN associated with the first desired prepaid service, a dispensing mechanism through which is dispensed, under the control of application program, the first requested PIN in response to first request for a PIN, a server containing a processor and a memory coupled to a processor, and a database in communication with the server, the database containing: plurality of sets of PINs associated with a corresponding plurality of prepaid services, and a set of records wherein each of the records include information identifying ones of the plurality of prepaid services for which one of the client terminals is disposed to store plural PINs, wherein processor executes instructions stored in the memory for sending to a first client terminal from which a PIN request corresponding to one of the plurality of prepaid services is received, at least one PIN associated with the plurality of prepaid services wherein the at least one PIN is sent substantially real time relative to receipt of PIN request (Paragraphs: 0013-0015; 0021; 0022-0025; 0126-0135; 0143; 0148-0154).

Flaherty differs from claimed invention in not specifically teaching the following: a PIN request generated by the application program when application program determines that at least one PIN associated with the second desired service is not cached within the memory, wherein dispensing mechanism is further configured to dispense, under the control of application program and in substantially real time relative to the receipt of second request for PIN, a second requested PIN for PIN associated with the second desired prepaid service wherein the second requested PIN is received through the second interface.

However, Jenkins discloses vending device with remote electronic shopping facility which teaches the following: providing requested goods and services from local storage if it is locally available, otherwise obtaining requested goods and services from a remote host device (figs. 1-3, col. 6, line 24 - col. 7, line 10).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Flaherty's system to provide for the following: a PIN request generated by the application program when application program determines that at least one PIN

Form PCT/ISA/237 (Supplemental Box) (April 2005)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US05/43756

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

associated with the second desired service is not cached within the memory, wherein dispensing mechanism is further configured to dispense, under the control of application program and in substantially real time relative to the receipt of second request for PIN, a second requested PIN associated with the second desired prepaid service wherein the second requested PIN is received through the second interface as this arrangement would facilitate to satisfy user requests for services by accessing remote server to obtain desired service if request service/or goods is not locally available as taught by Jenkins.

Regarding claims 2-6, 8-13, 15-18, 19-29, 22-23, Flaherty further teaches the following: receiving, at a client terminal, a request for a PIN associated with an additional desired prepaid service corresponding to one of the plural prepaid services, sending, from the client terminal, another PIN request to the server when less than a predetermined number of PINs associated with the additional desired prepaid service are stored at the client terminal, and receiving, at the client terminal, an additional requested PIN associated with the additional desired prepaid service, receiving and storing, at the client terminal and in response to another PIN request, a set of PINs associated with the additional desired prepaid service, receiving at the client terminal (fig. 4) a request for a PIN associated with an additional desired service corresponding to one of the plural prepaid services, and dispensing, from the client terminal, at least one PIN associated with the additional desired service which is stored at the client terminal uploading the update record to the server during communication between the client terminal and the server, request for a PIN associated with a third desired prepaid service is received through the first interface, wherein the application program generates, when less than a plural number of PINs associated with the third desired prepaid service are cached within the memory, another PIN request for transmission to the server through the second interface, third requested PIN associated with the third desired service is received through the second interface, a fourth request for a PIN associated with the third desired prepaid service is received through the first interface and wherein at least one PIN associated with the third desired prepaid service is included within the set of PINs and dispensed by the dispensing mechanism under the control of the application program, update record corresponding to dispensing of the first requested PIN is generated by the application program, update record is, under the control of the application program, uploaded to the server during communication session between the client terminal and the server, server is configured to send multiple other PINs associated with the one of the prepaid services to the first of the client terminals in response to the PIN request, record includes an indication of a maximum number of PINs capable of being stored at one of the client terminals with respect to each of the plurality of prepaid service (implied by memory limitations of each client terminal), server receives an update record from the first of the client terminals indicative of the dispensing of the at least one PIN from the first of the client terminals, plurality of prepaid services is defined by a SKU, each of the plural prepaid services is defined by a stock-keeping unit (SKU), receiving and storing, at the client terminal (fig. 4) and in response to the PIN request, a set of PINs associated with the desired prepaid service so as to maintain the predefined number of PINs associated with the desired prepaid service at the client terminal (Paragraphs: 0013-0015; 0021; 0022-0025; 0126-0135; 0143; 0148-0154).